

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF EMERY COUNTY COMMISSIONERS
HELD IN THE EMERY COUNTY COURTHOUSE

AUGUST 12, 2014

Present at the meeting was Commission Chairman Jeff Horrocks, Commissioner JR Nelson, Commissioner Ethan Migliori, Attorney David Blackwell, Deputy Clerk/Auditor Carol Cox, elected officials and citizens.

CONSENT AGENDA

(1)

APPROVAL OF CHECK EDIT LIST, REQUISITIONS AND DISPOSITIONS.

The Warrant Check Edit List # 231873 through and including # 232025 was presented for payment.

Requisitions were presented for the following:

<u>REQUISITION</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
49-14	Repairs to microwave radio transceiver On Horn Mountain damaged by lightning Sheriff/Communications	\$2,941.42

There were no dispositions.

(2)

APPROVAL TO HIRE JANELL BEAGLEY AS A SEASONAL RECEPTIONIST AT THE MUSEUM. WORKING 12-16 HOURS PER WEEK AT \$9.00 PER HOUR. NO BENEFITS.

(3)

APPROVAL OF 3% WAGE INCREASE FOR VELVET FARLEY AND KAYLEE VANWAGONER AFTER SUCCESSFUL COMPLETION OF THEIR 6 MONTH ORIENTATION PERIOD. EFFECTIVE 8-18-14.

(4)

APPROVAL OF 3% WAGE INCREASE FOR MINDI LABRUM AND MELISSA JENSEN

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS
AUGUST 12, 2014

AFTER SUCCESSFUL COMPLETION OF THEIR 6 MONTH ORIENTATION PERIOD.

(5)

APPROVAL OF COMMISSION MEETING MINUTES DATED JULY 22, 2014.

(6)

APPROVAL OF CANVASS OF ELECTION MEETING MINUTES DATED 24, 2014.

Commissioner JR Nelson made a motion to approve the Consent Agenda. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

DISCUSSION AGENDA

(1)

ITEMS PULLED FROM THE CONSENT AGENDA.

Nothing.

(2)

EMPLOYEE OF THE MONTH

Commissioner Migliori presented the Employee of the Month to Johnathon “Boe” Minchey. Boe was hired as a Correctional Officer in June 2011 and worked in the jail. He attended P.O.S.T. and graduated as a correctional officer in September 2011. Boe then attended P.O.S.T again in August 2012 where he graduated as a Law Enforcement officer and became a Patrol Deputy.

Boe became a Defensive Tactics Instructor in November 2012.

He is an exceptional officer for the Emery County Sheriff’s Department.

Boe was presented with a certificate of appreciation and Emery County Business Chamber Bucks.

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS
AUGUST 12, 2014

(3)

CONSIDERATION AND APPROVAL OF PERSONAL PROPERTY TAX EXEMPTIONS FOR 2014.

Kris Bell, Emery County Assessor presented a list of businesses in Emery County that qualify under State Statute as having \$10,000.00 or less in personal property value. These businesses will be exempt from paying personal property on their businesses. Commissioner Ethan Migliori made a motion to approve the Personal Property Exemptions for 2014. The motion was seconded by Commissioner JR Nelson. The motion passed.

(4)

RATIFICATION OF MOU BETWEEN US DEPARTMENT OF THE INTERIOR, BLM PRICE FIELD OFFICE AND EMERY COUNTY CONCERNING OLD SPANISH TRAIL HISTORIC SILHOUETTE AND INTERPRETIVE FEATURE INSTALLATION AND OPERATION.

Commissioner Migliori explained that the Historic Preservation Committee wanted to have the Old Spanish Trail Historic Silhouettes and Interpretive Feature installation and operating before the County Fair. They got approval from the BLM to do the installation and the MOU between Emery County and BLM will now need to be ratified. Commissioner Migliori thanked the Sheriff's Department for the use of the inmates from the jail to do the installation. Commissioner JR Nelson made a motion to ratify the signing of a MOU between US Department of the Interior, BLM Price Field Office and Emery County concerning Old Spanish Trail Historic Silhouette and Interpretive Feature Installation and Operation. The motion was seconded by Commissioner JR Nelson. The motion passed.

(5)

CONSIDERATION AND APPROVAL OF DONATING UNCLAIMED BICYCLES TO GREEN RIVER COMMUNITY CENTER FOR REFURBISHING AND DISTRIBUTION.

Commissioner Ethan Migliori made a motion to donate the unclaimed bicycles from the Emery County Sheriff's Department to the Green River Community Center for refurbishing and distribution. The motion was seconded by Commissioner JR Nelson. The motion passed.

(6)

APPROVAL TO PURCHASE EAGLE AIR MED LIFE FLIGHT INSURANCE FOR ALL FULL TIME COUNTY EMPLOYEES.

Human Resources Director, Mary Huntington requested approval to purchase Eagle Air Med Life Insurance for all full time county employees. She explained that the program was introduced to

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS
AUGUST 12, 2014

the employees and many have expressed interest in the program. Participation in the program would benefit the county's insurance plan as it would save the cost of transportation using Air Med Life Flight to a hospital. If the county pays the premium for employees the cost would be \$30.00 a year per employee. Part-time employees would have to pay the premium, but may be paid through payroll deduction. Commissioner JR Nelson made a motion to pay the yearly premium for Eagle Air Med Flight insurance for all full time county employees and offer pay roll deduction to part-time employees. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(7)

APPROVAL TO UTILIZE EMERY MEDICAL CENTER FOR THE ANNUAL WELLNESS CLINIC.

Mary Huntington explained that this program provides the employee with valuable information regarding health issues. A comprehensive blood draw is provided for the employee. A diagnoses report is provided to the employee with a follow up at the clinic with Dr. Lowell Morris if the employee wishes to do so. She indicated that several health issues have been avoided as a result of this diagnosis and follow up with Dr. Morris. This saves the county money on premiums and claims. Commissioner JR Nelson made a motion to utilize Emery Medical Center for the annual Wellness Clinic. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(8)

APPROVAL TO PROVIDE FLU VACCINES THIS YEAR IN CONJUNCTION WITH THE ANNUAL WELLNESS CLINIC FOR FULL OR PART-TIME EMPLOYEES, SPOUSES OR DEPENDENTS, AND EMT VOLUNTEERS. THE COUNTY WILL PAY \$28.00 FOR EMPLOYEES (FULL OR PART-TIME ALONG WITH EMT VOLUNTEERS) WHO CHOOSE TO RECEIVE THE VACCINE. SPOUSES AND DEPENDENTS WILL BE REQUIRED TO PAY A \$10.00 CO-PAY.

Mary Huntington requested approval to provide flu vaccines as part of the annual Wellness Clinic for full or part-time employees, spouses or dependents and EMT volunteers. The county will pay the \$28.00 fee for each who receive the vaccine. The spouses and dependents will be required to pay a \$10.00 co-pay. Mary commented that this program is a great benefit to the county as having the vaccine helps saves the county money in premiums and loss time for illnesses. Commissioner JR Nelson made a motion to approve providing flu vaccines to full time or part-time employees, spouses, dependents and EMT volunteers. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS
AUGUST 12, 2014

(9)

APPROVAL TO GIVE EMPLOYEES (WITH BENEFITS) WHO PARTICIPATE IN THE WELLNESS CLINIC AN ADDITIONAL 4 HOURS OF PAID VACATION.

Commissioner JR Nelson made a motion to approve giving employees(with benefits) who participate in the Wellness Clinic and additional 4 hours of paid vacation. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(10)

CONSIDERATION AND APPROVAL OF AMENDMENT TO ENGINEERING CONTRACT BETWEEN EMERY COUNTY AND JOHANSEN AND TUTTLE ENGINEERING FOR HUNTINGTON CANYON SOUTH DEBRIS BASIN PROJECT 2013

Commissioner Horrocks indicated that there were some questions regarding the engineering contract for the Huntington Canyon South Debris Basin. J & T wanted to do an amendment to the engineering contract for the South Debris Basin that included work on the North Debris Basin. Commissioner Horrocks indicated that the engineering contract for the South Debris Basin has been closed out. Therefore, Commissioner Horrocks asked that Johansen & Tuttle Engineering prepare another contract that covers only the North Debris Basin. There were things that came to light after the last storm. There will be additional cost associated with the new contract. The new contract is for \$60,000.00 which includes mitigation costs. He explained that the new contract can be approved today but will have to be ratified in the next meeting.

Commissioner Ethan Migliori made a motion to approve an engineering contract between Emery County and Johansen and Tuttle Engineering for Huntington Canyon North Debris Basin Project 2013. The motion was seconded by Commissioner JR Nelson. The motion passed.

Jonathon Johansen discussed a contract for change order #3 from Nielson Construction for the Huntington Canyon North Debris Basin. The item is not on the agenda, but needs to be addressed at this time. The construction contract for the North Debris Basin has been left open to allow for upgrades. The change order is for an upgrade to the berm allowing better access for maintenance. Change order #3 is in the amount of \$131,211.00 to do that work. The change order was given to the Commissioners the day before the meeting, to late to be added to the agenda for action. Commissioner Horrocks reminded Mr. Johansen that items for consideration by the Commission need to be turned in before the agenda is prepared to avoid ratification of approval. However, it was deemed necessary to begin the work so the change order was considered for approval today and that approval will be ratified in the next meeting. Commissioner JR Nelson made a motion to approve the signing of change#3 order for the Huntington North Debris Basin as presented by Johansen and Tuttle Engineering and to ratify the signing of the contract in the next meeting. The motion was seconded by Commissioner Ethan

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS
AUGUST 12, 2014

Migliori. The motion passed.

(11)

CONSIDERATION AND APPROVAL OF ENGINEERING CONTRACT BETWEEN EMERY COUNTY AND JOHANSEN AND TUTTLE ENGINEERING FOR EMERY COUNTY SAFETY COMPLEX (SHERIFF'S OFFICES) AIR CONDITIONING PROJECT- 2014.

Johnathon Johansen presented an engineering contract between Emery County and Johansen and Tuttle Engineering for Emery County Safety Complex (Sheriff's Offices) Air Conditioning Project -2014. The engineering contract is for \$7,500.00 . Commissioner JR Nelson made a motion to approve an engineering contract between Emery County and Johansen and Tuttle Engineering for Emery County Safety Complex Air Conditioning Project-2014. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(12)

DISCUSSION AND APPROVAL TO PARTICIPATE IN AMICUS BRIEF IN SUPPORT OF STATE'S PETITION FOR CERTIORARI TO THE U.S. SUPREME COURT.

Attorney David Blackwell explained that Emery County has been asked to participate in an Amicus Brief in support of the State's petition for Certiorari to the U.S. Supreme Court. He explained that a few months ago Emery County agreed to join in an Amicus Brief on behalf of the same sex marriage issue. The state is making that request again. Thirteen to fourteen cases are heard each year and the state is hoping to be one of those cases that are heard. Commissioner JR Nelson made a motion to approve participating in an Amicus Brief in support of State's petition for Certiorari to the U.S. Supreme Court. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

(13)

DISCUSSION AND APPROVAL OF TRANSFERRING TITLE OF A VEHICLE TO EMERY COUNTY CARE AND REHABILITATION.

Commissioner Migliori explained that many years ago the Sheriff's Department transferred a vehicle to the Care Center. The car has since been damaged and will cost more to fix than it is worth. The Care Center has asked the Sheriff's Department if they have a vehicle that could be transferred to them. It was determined that the Aging and Nutrition Program was also in need of a back-up vehicle for deliveries. Sheriff Funk indicated that they did have a vehicle that could be transferred to the Care Center for use by the two entities. Commissioner Ethan Migliori made a motion to transfer title of a vehicle from the Sheriff's Department to the Emery County Care and Rehabilitation Center for use by the Care Center and the Aging and Nutrition Program. The

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS
AUGUST 12, 2014

vehicle is to be housed at the Care Center. The motion was seconded by Commissioner JR Nelson. The motion passed.

(14)

CONSIDERATION AND APPROVAL OF MOU BETWEEN EMERY COUNTY AND
EMERY COUNTY SCHOOL DISTRICT REGARDING CEDAR MOUNTAIN
COMMUNICATION SITE.

Bret Mills, Communications discussed a pending situation regarding communication radio sites. The State of Utah has turned their communications operations over to a Utah Communications Agency. They (the State) has turned all of their communication radio and tower sites that they own to this agency. The agency takes the money from cell phone taxes that used to go to poison control and it now supplies money for this agency through the legislature. They are now going to start charging rent for their building which will be a substantial amount. They want everyone to go to 800 mh. This would be very costly for Emery County. There are at least 600 radios in Emery County. All agencies in Emery County use radios. To replace all the radios with 800 mh radios would cost the County \$1.5 million, with an additional \$15,000.00 per month or \$180,00.00 per year cost. 800 mh will not work in Emery County. We have too many valleys canyons and blanks spots. Right now our communications system is top notch. Emery County has always been independent. We have several other areas that want to follow suit with us. Emery County School District has a building next door to the state building. He has talked to the School District about the building. It has a small tower but the building is fairly large and would house Emery County and the School District easily. The tower would have to be replaced. The school district would have to get a BLM permit. An MOU was discussed with them. We felt like for what the state wants to charge us for a years worth of rent we can make the improvements to the building and a tower. The State has equipment in our building that we can charge them to house. The state is inventorying our equipment as theirs because it is in their building. The Cedar Mountain site is critical to our communications. We feed our microwave through there for Green River. We started that site with the State of Utah but back then everything was handled on a handshake. Bret recommended approval of the MOU to mitigate the situation with the State of Utah. Commissioner JR Nelson made a motion to approve an MOU between Emery County and Emery County School District regarding Cedar Mountain Communication Site. The motion was seconded by Commissioner Ethan Migliori. The motion passed.

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS
AUGUST 12, 2014

(15)

CONSIDERATION AND APPROVAL OF GRANTING A CONSTRUCTION AND
MAINTENANCE EASEMENT TO HUNTINGTON CITY FOR A TRAIL.

Commissioner Ethan Migliori reported that for some time now the Trails Committee has been working on a walking/bicycle/ATV trail that will allow access Huntington State Park to the Huntington Recreation Complex and Huntington Rodeo/Fairgrounds. The trail follows UDOT highway up to the north end of Nielson property and moves up to the Huntington Recreation Complex. The trail crosses Emery County property and thus the need for a construction and maintenance easement. An easement has already been procured from the Nielson family. Huntington City will maintain the trail. He indicated that the trail will be a good recreational/tourism resource for the County and Huntington City. Commissioner Ethan Migliori made a motion to approve a construction and maintenance easement to Huntington City for a trail. The motion was seconded by Commissioner JR Nelson. The motion passed.

(16)

COMMISSION/ELECTED OFFICIAL REPORTS.

Commissioner Nelson

Commissioner Nelson reported on meeting with Representatives Jason Chaffetz and Elijah Cummings where discussions centered around mineral royalties, natural gas, sage grouse, and the antiquities act.

Commissioner Migliori

Commissioner Migliori reported on an interview with FOX news. Topic of discussion was centered on western state issues. Museum of the San Rafael sponsored a successful Folk Art Festival. He reported on a conversation with Brad Giles, Castle Valley Pageant Director. He indicated that approximately 22,000 people attended the pageant this year.

Commissioner Horrocks

Commissioner Horrocks reported on attending CIB meeting where Emery County Fire Protection Special Service District was awarded a \$450,000.00 grant for 8 new fire trucks. The Fire District will match the grant with \$250,000.00 from their budget to purchase the trucks. The Seven County Coalition group submitted a request to the CIB for start up money, however, the group has not received approval from Grand County Commission. So the group has opted out of this

MINUTES OF THE BOARD OF EMERY COUNTY COMMISSIONERS
AUGUST 12, 2014

trimester funding session for CIB funding. He thanked all the volunteers for the Emery County Fair and Castle Valley Pageant. He reported working with Leon DeFriez to coordinate a back county fly-in event at the Huntington Airport.

The meeting was adjourned.

ATTEST:_____ COMMISSIONER:_____